

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOHNNY TIPPINS,

Plaintiff,

v.

Case No. 2:14-cv-10956

District Judge Stephen J. Murphy

Magistrate Judge Anthony P. Patti

PATRICK CARUSO, *et al.*,

Defendants.

---

**ORDER DENYING PLAINTIFF'S MOTION TO APPOINT COUNSEL AS  
MOOT (DE 58)**

Plaintiff, Johnny Tippins, filed his motion for volunteer appointment of counsel on April 27, 2016. (DE 58.) At that time, the case was closed and judgment had been entered in favor of Defendants (DE 49 and 50), although Plaintiff had pending several post-judgment motions, including a motion for relief from judgment (DE 53) and a motion for reconsideration (DE 54). The substance of the motions for relief from judgment and for reconsideration was that Plaintiff had been unable to timely respond to my September 1, 2015 report and recommendation to dismiss the case. (DE 44.) On August 3, 2016, the Court briefly reopened the case to address Plaintiff's objections, and again adopted the report and recommendation to dismiss the case on August 4, 2016. (DE 63.) As

such, the case is closed. Accordingly, Plaintiff's motion for appointment of counsel is **DENIED AS MOOT**. (DE 58.)

**IT IS SO ORDERED.**

Dated: August 10, 2016

s/Anthony P. Patti  
Anthony P. Patti  
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on August 10, 2016, electronically and/or by U.S. Mail.

s/Michael Williams  
Case Manager for the  
Honorable Anthony P. Patti